

Development Control Committee

Minutes of a meeting of the **Development Control Committee** held on **Wednesday 4 August 2021** at **10.00 am** in the **Conference Chamber, West Suffolk House**, Western Way, Bury St Edmunds IP33 3YU

Present **Councillors**

Chair Andrew Smith

Vice Chairs Mike Chester and Jim Thorndyke

Richard Alecock

Sara Mildmay-White

Carol Bull

Andy Neal

John Burns

David Palmer

Jason Crooks

David Roach

Brian Harvey

David Smith

James Lay

Peter Stevens

In attendance

Stephen Frost (Ward Member: Lakenheath) – observing

155. **Welcome**

The Chair formally commenced the meeting and welcomed all present to the Development Control Committee, with special reference made to Councillor Brian Harvey who was attending his first meeting as a newly appointed member of the Committee.

The Chair also reminded the Committee that item 7 had been withdrawn from the agenda.

156. **Apologies for absence**

Apologies for absence were received from Councillors Roger Dicker, Andy Drummond, Susan Glossop and Ian Houlder.

157. **Substitutes**

The following substitutions were declared:

Councillor Andy Neal substituting for Councillor Roger Dicker;
Councillor James Lay substitute for Councillor Andy Drummond; and
Councillor Sara Mildmay-White substituting for Councillor Susan Glossop

158. **Minutes**

The minutes of the meeting held on 23 June 2021 were confirmed as a correct record, with 13 voting for the motion and with 2 abstentions, and were signed by the Chair.

The minutes of the meeting held on 7 July 2021 were confirmed as a correct record, with 14 voting for the motion and with 1 abstention, and were signed by the Chair; subject to the following additional paragraph being inserted as follows:

Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling Road, Little Wratting (Report No: DEV/WS/21/022)

Councillor David Smith also addressed the meeting and echoed many of the points made by Councillor Burns. His largest concern was also the 4 storey units and the visual impact they would have.

Councillor Susan Glossop expressed similar concerns regarding the 4 storey units. She also spoke on the importance of developers working with local communities and representatives, and listening to their concerns, in order to create first-rate developments.

Councillor Peter Stevens stressed that the site was former rolling countryside and therefore the design of the roof blocks was important to mitigate the visual impact.

159. **Declarations of interest**

Members' declarations of interest are recorded under the item to which the declaration relates.

160. **Planning Application DC/21/0110/RM - Land NW of Haverhill, Ann Suckling, Little Wratting (Report No: DEV/WS/21/026)**

(Councillors John Burns and David Smith each declared a non-pecuniary interest in this item in light of the fact that they had taken part in Haverhill Town Council's consideration of the application. However, they stressed that they would keep an open mind and listen to the debate prior to voting on the item.)

Reserved matters application - submission of details under outline planning permission SE/09/1283 - the means of access, appearance, landscaping, layout and scale for the construction of 123 dwellings, together with associated private amenity space, means of enclosure, car parking, vehicle and access arrangements together with proposed areas of landscaping and areas of open space for a phase of residential development known as phase 2b (as amended by plans received 14.5.21 and 21.07.2021)

This application was initially referred to the Development Control Committee following call-in from Ward Member (Haverhill North) Councillor Joe Mason. In addition, the Town Council had voiced objections to the application.

The Principal Planning Officer reminded Members that the application was part of the wider North West Haverhill site which was one of two strategic growth sites for Haverhill identified in the adopted Core Strategy. The application before the Committee sought approval of the details for part of the second phase of residential development.

At the meeting of the Development Control Committee on 7 July 2021 Members resolved to defer consideration of the application in order to allow Officers additional time in which to work with the applicant to address some of the concerns raised by the Committee; relating to the four storey units, the density and electric charging point provision.

Since the last meeting amendments had been made to the scheme which the Principal Planning Officer outlined as follows:

- The 4 storey units had been reduced to 3 storey thereby reducing the overall number of dwellings in the application to 123;
- Five additional visitor spaces had been provided (and not 6 as incorrectly referenced in Report No DEV/WS/21/026);
- Electric charging points provision had been enhanced; and
- Some additional soft landscaping was to be provided including two feature trees.

The Committee was advised that following the amendments to the proposal Haverhill Town Council had confirmed that they now withdrew their objections to the application. The Town Council made further comments in respect of space standards and bin collection points which the Officer provided further explanation on.

It was highlighted that the density of the development had now reduced to 42dph and, for the benefit of the meeting, the Principal Planning Officer advised on density tolerances and the way in which it was calculated.

As part of her presentation the Principal Planning Officer showed videos of the site by way of a virtual 'site visit'.

Lastly, the Committee was informed that two related Reserved Matters applications had been submitted by the applicant in respect of the sports pitch/play areas and infrastructure (including highways). Both applications were now subject to consultation.

Officers were recommending that the application be granted, subject to conditions as set out in Paragraph 9.00 of the report.

Speakers: Brad & Anne Strachan (neighbouring objectors) spoke against the application
Stuart McAdam (agent) spoke in support of the application
(The Strachans did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on their behalf.)

Councillor John Burns raised questions with regard to standard conditions in relation to construction, drainage etc. In response, the Principal Planning Officer explained that these had been included in the outline permission granted.

Councillors David Roach and Sara Mildmay-White both voiced disappointment that the space standards compliance only applied to the affordable housing and not the market properties.

Following questions/comments concerning the infrastructure, the Officer explained that the trigger for the relief road to be delivered was 500 constructed units or 5 years from commencement. As it stood, approximately 200 units had been constructed and roughly 3 years had passed since the development had commenced.

Councillor Peter Stevens voiced approval of the redesigned (now) 3 storey units. He proposed that the application be approved as per the Officer recommendation. This was duly seconded by Councillor John Burns.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following conditions:

1. Approved Plans and documents
The development hereby permitted shall not be carried out except in complete accordance with the details shown on the approved plans and documents.
2. Badger check – pre-commencement
Prior to the commencement of the development a further supplementary survey for badger shall be undertaken to inform the preparation and implementation of ecological measures required. The supplementary survey shall be of an appropriate type for the above species and survey methods shall follow national good practice guidelines.
3. Construction Environmental Management Plan for biodiversity– pre-commencement
Prior to the commencement of development, a Construction Environmental Management Plan for biodiversity (CEMP biodiversity) shall be submitted to the local planning authority and agreed in writing.
The CEMP (Biodiversity) shall include the following:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of “biodiversity protection zones”.
 - c) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements).
 - d) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) The times during construction when specialist ecologists need to be present on site to oversee works.
 - f) Responsible persons and lines of communication.
 - g) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person.
 - h) Use of protective fences, exclusion barriers and warning signs.
 - i) Containment, control and removal of any Invasive non-native species present on siteThe approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.
4. Sensitive lighting strategy – pre-above ground construction

A lighting design scheme for biodiversity shall be submitted to and approved in writing by the local planning authority. The scheme shall identify those features on site that are particularly sensitive for bats and that are likely to cause disturbance along important routes used for foraging; and show how and where external lighting will be installed (through the provision of appropriate lighting contour plans, Isolux drawings and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent bats using their territory.

All external lighting shall be installed in accordance with the specifications and locations set out in the scheme and maintained thereafter in accordance with the scheme. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

5. Precautionary reptile method strategy – adherence during works

All work shall be carried out in accordance with the precautionary methods of working set out in the Reptile Precautionary Method Strategy.

6. Final detailed landscape proposals for plots and open space – pre-above slab level.

Prior to any construction works above slab level taking place, final detailed soft landscaping plans shall be submitted to the local planning authority and agreed in writing. The plans shall include full details of the ecological mitigation and compensation measures and the biodiversity enhancement measures required to address the points set out in the Place Services Landscape and Ecology response dated 30th June 2021.

The details shall include planting plans; written specifications (including cultivation and other operations associated with plant and grass establishment); schedules of plants noting species, plant sizes and proposed numbers/ densities. The approved scheme of soft landscaping works shall be implemented not later than the first planting season following commencement of the development (or within such extended period as may first be agreed in writing with the Local Planning Authority). Any planting removed, dying or becoming seriously damaged or diseased within five years of planting shall be replaced within the first available planting season thereafter with planting of similar size and species unless the Local Planning Authority gives written consent for any variation.

7. Materials and details – pre-above slab level

No development above slab level shall take place until details of the external materials to be used in the construction of the buildings and details of the fenestration (including fenestration colour and depth of reveals), doors, garage doors, porches, balconies and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

8. Footway protection - pre-above slab level

No above ground construction shall take place until details of a footway protection strategy to prioritise pedestrians and protect the footways from inappropriate parking, has been submitted to the local planning authority and agreed in writing. The development shall be carried out in full accordance with the approved details.

9. Visitor parking - pre-above slab level

No above ground construction shall take place until details of the visitor parking designation and the lining or signage to promote use as well as the future management arrangement where spaces do not form part of the adopted highway. The spaces shall be provided and maintained in accordance with the approved details.

10. Shared surface street details – prior to commencement of that part of the development

Prior to the commencement of the construction of the shared surface streets, final details of the proposed landscaped buildouts and the pedestrian routes shall be submitted to the local planning authority and agreed in writing. The details shall include precise details of the size and form of the buildouts, the materials to be used in construction and the proposed planting.

11. Tree Pit details - prior to installation

Prior to the installation of any tree within 2.5 metres of a highway, the full details of the proposed tree pit for that tree shall be submitted to the local planning authority and agreed in writing. All work shall be carried out in full accordance with the approved details.

12. Cycle storage for the apartments – pre-above slab level for the apartments

Prior to any development above slab level taking place for the apartments, full details of the secure cycle storage for the occupants of those buildings shall be submitted to the local planning authority and agreed in writing. The storage shall accommodate adult and children's cycles and non-standard cycles. Full details of any racking systems shall be provided as part of the scheme. The storage shall be provided in accordance with the approved details prior to the first occupation of the building to which it relates.

13. Designing out crime - pre-above slab level

No construction above slab level shall take place until details of the measures and strategies to design out opportunities for crime have been submitted to and approved in writing by the Local Planning Authority. The measures shall include, but not be limited to:

- Details of the anti-crime features to be provided for each dwelling,
- Details of measures to improve the safety of rear access paths including but not limited to gates and boundary treatments.
- Details of access control to communal areas for flats.

All work shall be carried out in accordance with the approved details.

14. Roof mounted solar– pre-installation

Prior to the installation of any roof mounted solar panels, full details shall be submitted to the local planning authority and agreed in writing. The panels shall be installed in accordance with the agreed details.

15. Noise (internal) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, so as to ensure that the internal ambient noise levels within each dwelling, with windows closed, do not exceed an LAeq (16hrs) of 35 dB(A) within bedrooms and living rooms between the hours of 07:00 to 23:00 and an LAeq (8hrs) of 30dB(A) within bedrooms between the hours of 23:00 to 07:00, in accordance with the current guideline levels within BS8233:2014 - Guidance on sound insulation and noise reduction for buildings.

16. Noise (external) – pre-occupation

Prior to occupation of the proposed dwellings, noise mitigation measures shall be implemented, as required, to ensure that the noise level within the external amenity areas of each dwelling do not exceed an LAeq of 50 dB(A), in accordance with the current guideline levels within BS8233:2014 – Guidance on sound insulation and noise reduction for buildings.

17. Street furniture within open spaces – pre-occupation

Prior to the first occupation of the dwellings, the street furniture for the open spaces, to include bins and benches, shall be fully installed in accordance with details previously submitted to the local planning authority and agreed in writing.

161. **Planning Application DC/20/2066/RM - Land at Rabbit Hill Covert, Station Road, Lakenheath (Report No: DEV/WS/21/027)**

Reserved matters application - submission of details approved under outline planning permission F/2013/0345/OUT for access, layout, scale, appearance and landscaping (not EIA) for up to 81 dwellings and associated works (as amended)

This application was referred to the Development Control Committee following consideration by the Delegation Panel.

Members were advised that outline planning permission was granted for up to 81 dwellings at the site in September 2018. The application before the Committee sought approval of matters reserved by condition 2 of the outline planning permission.

The Principal Planning Officer – Major Projects explained the linkage between the application site and that of the adjacent development site which would include Lakenheath’s second primary school.

The lack of play space within the proposed scheme was highlighted to Members. The Officer advised that this was likely to be delivered within the adjacent site, however, provision had been made to secure financial contributions from this scheme if necessary.

Attention was also drawn to the initial comments received from the Council’s waste service in respect of the scheme. A plan was shown to the meeting which outlined waste bin movements, comments in response to this had yet to have been received from the waste service hence a condition had been included in order to address this matter.

Further to comments made by Lakenheath Parish Council regarding the “over engineered” road scheme within the proposal, the Committee were advised of the reasoning behind this which was to ensure the road was officially adopted by the Highways Authority.

Reference was made to the supplementary ‘late papers’ which had been circulated following publication of the agenda and which contained an amended recommendation to the report.

Further to the matters set out in the late papers the Officer also:

- Presented an amended plan which set out the redesign of Plot 40 in order to improve the parking provision. Members were advised that the Highways Authority were in support of the amendments; and
- Highlighted the recent changes to the NPPF, principally in relation to the definition of "beauty" and how this related to the application before the Committee.

Officers were recommending that the application be approved as per the amended recommendation set out in the supplementary late papers.

Speakers: Lakenheath Parish Council spoke against the application
(A representative from the Parish Council did not attend the meeting to personally address the Committee and instead the Democratic Services Officer read out a pre-prepared submitted statement on their behalf.)
 Kevin Jewell (applicant) spoke in support of the application
 Peter McKeown (agent) spoke in support of the application

In response to questions/comments posed by Members during the debate, the Principal Planning Officer – Major Projects responded as follows:

- A condition had been included on the outline planning permission in respect of electric vehicle charging points;
- Air source heat pumps were proposed for the properties' heating, however, there was no policy basis for this to be controlled by conditions; and
- The Committee was advised that off-site highways improvements were required at the Sparkes Farm, Eriswell junction following the Highways Authority's collective assessment of all four major development applications for Lakenheath (one of which being Rabbit Hill Covert).

Councillor David Roach spoke in support of the density level of the scheme and proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Sara Mildmay-White.

Upon being put to the vote and with 14 voting for the motion and with 1 abstention, it was resolved that

Decision

1. That following i) receipt of satisfactory amendments to address the landscaping/ecology matters discussed in the officer report and the bin collection points discussed in the late papers and, ii) completion of a Deed of Variation to the S106 Agreement (or equivalent) to secure i) developer contributions towards off-site provision of children's play space and equipment and ii) to secure an off-site 10-metre wide 'fall-back' planting belt along the length of the eastern site boundary, reserved matters be approved, subject to the following conditions:
 - As recommended by the Highway Authority (insofar as they i) relate to the reserved matters under consideration and ii) do not already appear as conditions of the outline planning permission).

- To secure protective measures for new trees proposed to be planted in close proximity (within 2.5 metres) of adoptable highway.
2. That the notice of approval of the reserved matters only be issued once the Director (Planning and Growth) is satisfied that all other relevant planning applications (reference DC/21/0079/FUL) and relevant applications to discharge planning conditions which might necessitate amendments being made to the reserved matters have been approved without material amendments to the reserved matters being required; and
 3. If the Director (Planning and Growth) considers that any future changes to the plans required by recommendations 1) and/or 2) are material to the determination of any of the reserved matters, the reserved matters be referred back to the Committee for further consideration and fresh resolution.

162. Planning Application DC/19/2155/FUL - Storage Tank, Station Yard, Station Road, Barnham (Report No: DEV/WS/21/028) (APPLICATION WITHDRAWN FROM AGENDA ON 02/08/21)

The Chair advised earlier in the meeting that this item had been **WITHDRAWN** from the agenda.

163. Planning Application DC/21/1366/FUL - West Suffolk House, Western Way, Bury St Edmunds (Report No: DEV/WS/21/029)

Planning application - Installation of battery container, and associated foundations and fencing

This application was referred to Development Control Committee as West Suffolk Council is the applicant.

The provision of a battery container, associated foundations and fencing was previously considered as part of an application for a Certificate of Lawfulness for proposed development at the site, reference DC/21/0946/CLP however it was withdrawn from that application as it was considered to need planning permission and could not be carried out as Permitted Development under the regulations.

Members were reminded that an amended application DC/21/0946/CLP for the extension to the substation was considered at the Development Control Committee on 7 July 2021 and was granted.

As part of his presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 25 of Report No DEV/WS/21/029.

The application prompted considerable discussion and debate by the Committee with a number comments being voiced in relation to the proposed location of the battery container plus related safety and visibility concerns.

The Service Manager (Planning – Development) advised Members that she would pass on the concerns raised to the relevant Officers so that they could instruct the contractors accordingly.

Councillor Jim Thorndyke proposed that consideration of the application be deferred in order to allow Officers additional time in which to explore an alternative location for the container. This was duly seconded by Councillor John Burns.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Consideration of the planning application be **DEFERRED** in order to allow Officers additional time in which to explore an alternative location for the container.

164. **Planning Application DC/21/1214/ADV - 21-27 Menta Business Centre, Hollands Road, Haverhill (Report No: DEV/WS/21/030)**

Application for advertisement consent - one externally illuminated fascia sign

This application was referred to Development Control Committee as West Suffolk Council is the owner of the application premises.

As part of her presentation the Planning Officer showed videos of the site by way of a virtual 'site visit'.

Officers were recommending that the application be approved subject to conditions as set out in Paragraph 19 of Report No DEV/WS/21/030.

Reference was made to the supplementary 'late papers' which had been circulated following publication of the agenda and which contained comments from the Highways Authority who cited no objection to the proposal.

Councillor David Roach proposed that the application be approved, as per the Officer recommendation. This was duly seconded by Councillor Andy Neal.

Upon being put to the vote and with the vote being unanimous, it was resolved that

Decision

Planning permission be **GRANTED** subject to the following condition, plus the standard advertisement conditions:

1. Compliance with plans

The meeting concluded at 12.00pm

Signed by:

Chair
